

PRIVACY POLICY

CJSC “FinTech Solutions” (also – “we”, “the Company”) ensures the security and confidentiality of all personal information of its current and future clients.

We act in strict accordance with the legislation of the Republic of Belarus, while applying the best world practices in the field of personal information protection, including the principles and rules of the European Union General Data Protection Regulation.

This Policy explains to you, the subject of personal data, being a client (representative, employee of the client) or a potential client of the Company (user of the Platform/website) (hereinafter referred to as “you”, “the Client”), how and for what purposes your personal data is collected, used or otherwise processed, and also reflects the rights you have in this regard and the mechanism for exercising thereof.

By registering on the Platform, visiting our website or contacting us through social networks (chats, instant messengers), you give your free, unambiguous consent to the processing of your personal data in accordance with its terms and conditions.

1. GENERAL PROVISIONS

1.1. The processing of personal data includes any action or set of actions performed with personal data, including the collection, systematization, storage, modification, use, depersonalization, blocking, distribution, provision, deletion of personal data.

1.2. Closed Joint Stock Company “FinTech Solutions”, a company registered in the Republic of Belarus under number 193130368 at the address: Minsk, Internatsionalnaya str., 36-1, office 624, room 13, is the operator of the processing of personal data and organizes/carries out the processing of personal data provided by you and collected by the Company in the process of entering into (preparing for entering into), executing, changing, terminating an Agreement with individuals on conducting operations involving non-deliverable over-the-counter (OTC) financial instruments, using the Platform and the website (capital.com.by and/or another domain), interacting with us in social networks (chats, instant messengers) regarding the use of our services.

Even if the Company, in accordance with the established procedure, entrusts the processing of your personal data to authorized (third) parties, it is still liable to you for the actions of such persons. For any questions regarding the processing of your personal data, the Company shall be the contact person.

1.3. We have appointed a person responsible for the protection of personal data (the person responsible for exercising internal control over the processing of personal data). If you have or will have any questions in the future in relation to this Policy or our processing of your personal data, including any requests to exercise your rights, please contact us using the email address support@capital.com or contact details given in Section 6 of this Policy.

2. LIST OF PROCESSED PERSONAL DATA

2.1. We collect and otherwise process the following personal data:

- (a) **general identification data**, including (but not limited to) your first name, last name, patronymic (if any), citizenship (nationality), place of birth, date of birth, address of registration and address of residence, details of a passport or other identity document (including the data contained in such documents), place of work and position;
- (b) **additional identification data**, including graphic images (images) of identity documents (other documents allowing identification); graphic images (images) in which you are depicted with an identity document, including data that, under applicable law, may be referred to as biometric data (face image and its characteristics); information on inclusion in the sanctions lists and (or) on the status of a public official; information received from the media, social networks and other public sources;
- (c) **contact details**, including email address, phone number, address, social media account details;
- (d) **financial data**, including information about your payment instruments, including details of bank payment cards and bank accounts; information about the sources of origin of funds; data (information)

on transactions with non-deliverable OTC financial instruments, other financial transactions performed (completed) when using our products and services;

- (e) **communication data**, including email and chat correspondence, audio and video recordings of communications (telephone and video calls);
- (f) **technical data**, including IP address, your device ID, the type of ID of the operating system or platform you have installed, information about the browser used, time zone and location (based on IP address), online identifiers/cookies;
- (g) **usage data**, including information about how you access and use the Platform (connection type, session data, etc.). For instance, in some cases we may conduct video (screen) recording of your user sessions;
- (h) **profile data**, including your username and password, interests, preferences, feedback and survey responses;
- (i) **other data** that you provide to us or that is generated, in particular, when communicating with our technical support team, using our products and services, satisfying our legitimate requests, including, if applicable, special personal data.

Please note that the amount of personal data processed by the Company in relation to a particular person varies and depends on the volume and characteristics of interaction with them, the purposes and legal grounds for such processing.

2.2. Providing you with our services may require the processing of your special personal data. For example, the use of some services involves the direct or indirect disclosure of your religious beliefs by you; identification requires the processing of biometric data (image/characteristics of your face). In this case, we will process such data only with your consent and (or) on other grounds provided for by applicable law. If you do not provide consent when required, or withdraw it, the provision of the relevant services to you will become impossible. In any case, we can only receive such data from you, and the decision whether to provide such data for further processing by the Company remains with you.

2.3. To improve the operation of the Platform (website), ensure security, increase comfort and functionality when you use it, as well as for other legitimate purposes, the Company processes cookies. Detailed information on the specifics of the processing of cookies, including the purposes and legal grounds for such processing, can be found in our [Cookie Policy](#).

2.4. Our website, emails and communications may contain data analysis tools that allow us to track the receipt of emails and communications and to keep a count of the number of users who have visited our website or opened our emails and communications. Such data is completely anonymous and does not constitute personally identifiable information.

3. PURPOSE AND LEGAL BASIS FOR PROCESSING PERSONAL DATA

3.1. We guarantee that the processing of personal data is necessary and proportionate to the purposes for which it is carried out, and we ensure a fair balance of interests of all interested parties at all stages of such processing.

3.2. We process your personal data only if there are legal grounds for this, namely:

(i) a contract/agreement

In order to perform the actions set forth in the Agreement with individuals on conducting operations involving non-deliverable over-the-counter (OTC) financial instruments (the “Agreement”), including the exercise/enforcement of our rights/obligations, we need to obtain and further process your personal data. Without their provision by you, we will not be able to conclude and properly execute the Agreement;

(ii) implementation of the legislation on prevention of money laundering, terrorist financing and financing of the proliferation of weapons of mass destruction (AML/CFT)

As a regulated company engaged in financial transactions, we comply with the regulatory requirements of the AML/CFT legislation, including the Law of the Republic of Belarus dated June 30, 2014 No. 165-Z “On measures to prevent money laundering, terrorist financing and financing of proliferation of weapons of mass destruction” and other acts adopted in its development;

(iii) fulfillment of duties (powers) provided for by legislative acts

In addition to the cases specified in paragraph 3.2(ii) of this Policy, the processing of your personal data may be conditioned by the provisions of legislative acts that we must be guided by in our activities (paragraph twenty of Article 6, paragraph sixteen of paragraph 2 of the Law of the Republic of Belarus dated May 7, 2021 No. 99-Z “On the protection of personal data”);

(iv) your consent

This ground shall apply in all cases where we have no other legal grounds for processing your personal data or where the law expressly requires obtaining your consent. Consent is given for a period until its withdrawal (within the total period of data processing to achieve the stated purpose). By giving us your consent to the processing of your personal data, you authorize us to perform any appropriate actions with such data, including collection, systematization, storage, modification, use, depersonalization, blocking, distribution, provision, deletion, in accordance with the stated purposes;

(v) another ground provided for by applicable law.

3.3. The information below explains for what purposes and on what legal basis the different categories of your personal data processed by us are used:

3.3.1. Conclusion, execution, modification and termination of the Agreement, including the performance of actions aimed at concluding the Agreement

Description: within the framework of these purposes, personal data is processed when performing various actions related to the use of our services on the basis of the Agreement concluded (to be concluded): creating an account, performing transactions, making settlements, sending you mandatory notifications (upon reaching the “margin call” level, etc.). In order to properly provide services to you, we must maintain and monitor the uninterrupted operation of the Platform, correct errors (eliminate technical failures), and provide technical and information support. We will not be able to conclude and execute the Agreement without processing your personal data.

Data category: general identification data, contact data, financial data, communication data, technical data, usage data, profile data, other data.

Legal basis: (i) contract/agreement, (ii) performance of duties (powers) provided for by legislative acts.

3.3.2. Implementation of client identification (“know your client” procedure) and other measures in the field of AML/CFT, suppression of fraudulent and other illegal activities

Description: we strictly comply with all legal requirements aimed at preventing illegal activities using our services. When providing our services to you, we take all reasonable and available measures aimed at creating a secure environment, including preventing unauthorized access of third parties to your account.

Data category: general identification data, additional identification data, contact data, financial data, communication data, technical data, usage data, other data.

Legal basis: (i) implementation of the AML/CFT legislation, (ii) fulfillment of obligations (powers) provided for by legislative acts, (iii) contract/agreement.

3.3.3. Implementation of the functions, powers and duties assigned to us by law

Description: bookkeeping and tax accounting, internal control and risk management, provision of information to government agencies, etc.

Data category: general identification data, additional identification data, contact data, financial data, communication data, technical data, other data.

Legal basis: (i) fulfillment of obligations (powers) provided for by legislative acts (paragraphs three and four of clause 10 of the Decree of the President of the Republic of Belarus dated June 4, 2015 No. 231 “On carrying out activities in the OTC Forex market”, etc.).

3.3.4. Consideration of your requests, appeals, including sending answers thereto

Description: when sending us requests, appeals (applications, complaints, etc.), including when communicating with our support team, personal data may, and in some cases must be provided.

Data category: general identification data, contact data, communication data, other personal data, including those that you provided when contacting us.

Legal grounds: (i) fulfillment of duties (powers) provided for by legislative acts (paragraph 1 of article 3 of the Law of the Republic of Belarus dated July 18, 2011 No. 300-Z “On appeals of citizens and legal entities”), (ii) other grounds provided for by applicable law (paragraph sixteen of Article 6 of the Law of the Republic of Belarus “On the Protection of Personal Data”), or (iii) Consent.

3.3.5. Provision of services using the Swap-Free account

Description: the Swap-Free account is offered to those customers who cannot use a regular account due to their faith or religious beliefs. Therefore, such customers provide us, directly or indirectly, with information about their faith/religious beliefs in order to be able to use such an account.

Data category: information about faith/religious beliefs (other information).

Legal basis: (i) consent.

3.3.6. Carrying out marketing attribution and market analysis

Description: marketing attribution and market analysis enable us to efficiently allocate our funds, optimize marketing expenses, including advertising campaign expenditures.

Data category: technical data, usage data

Legal basis: (i) consent

3.3.7. Providing personalized services that best meet your needs and interests

Description: our Platform uses artificial intelligence technology to analyze how you use the Platform and provide you with news about instruments that are suitable for you, as well as provide you with advice regarding your trading history.

Data category: general identification data, contact data, financial data, technical data, communication data, usage data, profile data.

Legal basis: (i) consent.

3.3.8. Sending you notifications, commercial offers, newsletters of an informational, advertising nature related to the Company

Description: includes cases, except when the notifications are sent to you as part of the execution of the Agreement or the requirements of law for any other purposes specified in this Policy.

Data category: general identification data, communication data, contact data.

Legal basis: (i) consent.

3.3.9. Help us improve our services

Description: you can help improve our services by participating in surveys, providing feedback or reviews.

Data category: general identification data, contact data, profile data.

Legal basis: (i) consent.

4. PROCESSING OF PERSONAL DATA. CROSS-BORDER TRANSFER, PROTECTION OF PERSONAL DATA

4.1. As a rule, we process the personal data that we have received from you (whether in response to our request or otherwise). Also, certain information can be generated (retrieved) during your use of the Platform (user actions, financial transactions, etc.). In some cases, we may also rely on other sources, the use of which is not contrary to law (public sources, specialized service providers).

4.2. We process your personal data with or without automation.

4.3. We may provide your personal data to the following categories of authorized persons (third parties) when it is necessary for the purposes of processing:

(a) banks, non-bank financial institutions, payment systems and providers with which the Company interacts, as well as its liquidity providers;

(b) advertising platforms (networks) and analytical systems (unless you have opted out of the processing of your personal data necessary for marketing attribution and market analysis);

- (c) providers of the software used by the support team to communicate with you, as well as the providers of customer support services;
- (d) communication service providers, such as those that send you marketing information, notices, news, etc.;
- (e) software providers that allow taking the necessary measures in the field of AML/CFT, suppression of fraudulent activities, as well as service providers for carrying out such measures;
- (f) providers of software/data hosting (storage) services;
- (g) auditors and other professional advisers;
- (h) any other authorized persons (third parties), including affiliated (connected) persons, whom we engage to provide you with services and (or) for an independent assessment of the level the provision thereof, as well as for the implementation of internal functions (business processes) of the Company.

4.4. We may provide your personal data to third parties when required by law and (or) the demands of government agencies and organizations.

4.5. All authorized persons (third parties) to whom we provide your personal data receive the minimum amount of personal data that they need for a specific purpose. The use by authorized persons (third parties) of the information provided to them is strictly limited to the purposes of personal data processing described in this Policy, and is not allowed for any other purposes. All authorized persons (third parties) to whom we provide personal data shall be obliged to maintain the confidentiality of personal data and take legal, organizational and technical measures to ensure their protection, including on the basis of contracts/agreements concluded with them. The Company does not sell, rent or disclose your personal data to third parties in any other way that is contrary to this Policy and applicable law.

4.6. Some of the authorized persons (third parties) to whom we provide your personal data may be located in countries where an adequate level of protection of the rights of personal data subjects is not provided, and therefore there are risks that it may be limited or not possible to provide the same the level of protection of your personal data, which is provided for by the law applicable to us and/or you. In any case, we do not provide your personal data to third parties who, in our opinion, are not able to provide (ensure) an adequate level of personal data protection.

We will carry out cross-border data transfer only in lawful cases, in particular when it is necessary for the execution of the Agreement or your consent or permission from the authorized body for the protection of the rights of personal data subjects has been obtained.

4.7. The Company takes the necessary and sufficient legal, organizational and technical measures to protect your personal data. The applied protection measures, among other things, should protect personal data from unauthorized or accidental access, destruction, modification, blocking, copying, distribution, as well as from other illegal actions therewith by third parties.

5. TERM FOR PROCESSING PERSONAL DATA

5.1. We process your personal data for the period necessary to achieve the purposes for which such data was collected. In any case, the information received is stored (processed) within the period that we need to comply with in accordance with the legislation of the Republic of Belarus.

5.2. We store your personal data specified in clauses 2.1(a), 2.1(b), 2.1(c), 2.1(d) of section 2 of this Policy during the entire period of the Agreement and for at least 5 (five) years from the day of termination of the Agreement (completion of a financial transaction), since such a storage period is provided for by the legislation of the Republic of Belarus, which is binding on us.

5.3. We will store communication data (clause 2.1(e) of section 2 of this Policy) for at least 5 years, as established by the Agreement or required by the legislation of the Republic of Belarus. The specific retention period will depend on the content of the communication records (topic, repetition, etc.), falling under shorter and longer retention periods.

5.4. We store any other personal data during the entire term of the Agreement (except when you have refused to process personal data in accordance with paragraph 6.1(a) of section 6 of this Policy), and we delete them immediately after the termination of the Agreement and (or) achieving the goals for which such data were collected, unless another period is provided for by the legislation of the Republic of Belarus.

6. YOUR RIGHTS

6.1. You shall be entitled:

- (a) at any time, without giving reasons, to withdraw your consent to the processing of your personal data, when the basis for the processing of such data is your consent and there are no other legal grounds.

Therefore, you shall be entitled to refuse processing:

- data for the purposes of our marketing attribution and market analysis;
- information about how you use the Platform in order to provide you with personalized services;
- data used to send you promotional materials;
- special personal data for the purposes when such data was provided by you and the processing of such data is allowed only with your consent;
- in other cases in respect of which we have received your consent for processing.

We aim to provide you with choices regarding the processing of certain personal data, especially in the areas of marketing and advertising. We have provided a special “Notifications” section in your account on the Platform, which allows you to evaluate and decide how we will process your personal data for marketing/advertising purposes, including withdrawing consent at any time by changing the appropriate notification settings. You can also use the “Unsubscribe” function in the corresponding email.

Please note that the termination of the processing by the Company of your personal data may make it impossible to provide you with our services and (or) other interaction between us;

- (b) to receive information regarding the processing of your personal data, to the extent required by law; to demand from us to amend your personal data if the personal data is incomplete, outdated or inaccurate;
- (c) to receive information from us about the provision of your personal data to third parties;
- (d) to require us to stop processing your personal data free of charge, including the deletion thereof, in the absence of grounds for processing personal data provided for by the legislation of the Republic of Belarus;
- (e) to appeal against our actions (inaction) and decisions that violate your rights in the processing of personal data to the authorized body for the protection of the rights of subjects of personal data.

6.2. To exercise the right to withdraw the consent of the subject of personal data, the right to receive information regarding the processing of personal data and change personal data, the right to receive information about the provision of personal data to third parties, the right to demand termination of the processing of personal data and (or) their deletion, you need to submit an application to us in writing at the address: Republic of Belarus, 220030, Minsk, Internatsionalnaya str., 36-1, office 624, room 13, or to send such an application to us by email support@capital.com.

6.3. Your application should contain:

- (a) surname, first name, patronymic (if any), address of the place of residence (place of stay);
- (b) date of birth;
- (c) identification number, in the absence of such a number – the number of the identity document, in cases where such information was indicated by you when giving your consent to us or if the processing of personal data is carried out without your consent;
- (d) a statement of the essence of the requirements;
- (e) personal signature or electronic digital signature.

6.4. The response to the application shall be sent to you in the form corresponding to the application form, unless otherwise indicated in the application itself.

6.5. You can exercise your right to appeal against our actions (inaction) and decisions that violate your rights in the processing of personal data to the authorized body for the protection of the rights of subjects of personal data in the manner prescribed by the legislation of the Republic of Belarus on appeals from citizens and legal entities.

7. POLICY UPDATES AND FEEDBACK

7.1. We update this Policy as necessary. You will be notified via the Platform and/or by email within a reasonable time prior to such changes becoming effective, unless such updates will not change your and/or our rights and/or responsibilities with respect to the processing of personal data. Notification of potential clients (persons who have not registered on the Platform) shall be carried out by posting an updated version of the Privacy Policy on our website.

7.2. Please send any suggestions or questions regarding this Policy to support@capital.com. You can also contact our Data Protection Officer by sending a message to dpo@capital.com.

Annex 1: Compliance with the requirements of the European Union General Data Protection Regulation (Regulation (EU) 2016/679)

Compliance with the requirements of the European Union General Data Protection Regulation (Regulation (EU) 2016/679)

1. In the event that the processing of your personal data is subject to the regulation of the European Union General Data Protection Regulation (GDPR), we ensure the compliance with the GDPR, without prejudice to the implementation of the requirements of the legislation of the Republic of Belarus, including clarifying the following.

2. In order to offer you our services and to fulfill our obligations under applicable law, in some cases we may use automated processing of personal data (including profiling) and automated decision making. For example, our fraud protection systems are able to automatically detect patterns that may indicate fraudulent activity against your account. We will warn you about such actions in order to prevent possible fraud. Our systems also automatically determine a client's risk profile based on a number of risk factors that we consider in accordance with the law and our internal procedures. Risk assessment allows the Company to conduct proper screening (verification) of clients.

3. If your personal data is provided to third parties outside the EEA (where an adequate level of data protection is not ensured), we will take appropriate legal, organizational and other measures to protect your personal data. Please contact us if you would like to receive more information about the specific mechanism we use when transferring your personal data outside the EEA.

4. Without prejudice to the rights listed in Section 6 of the Policy, we inform you of the following rights related to the processing of personal data and guaranteed by the GDPR (subject to applicable exceptions):

- Right of access. You have the right to request from us access to your personal data processed by the Company;
- Right to correction. You have the right to request that we correct any information that you believe is inaccurate. You also have the right to ask us to complete information that you believe is incomplete;
- The right to delete data. You have the right to request that we delete your personal data, under certain conditions;
- The right to restrict processing. You have the right to request that we restrict the processing of your personal data, under certain conditions;
- The right to object to processing. You have the right to object to our processing of your personal data under certain conditions;
- Right to data portability. You have the right to request that we transfer the data we have collected to another person or directly to you, under certain conditions;
- Right to withdraw consent. You have the right to withdraw your consent to the processing of personal data that you previously provided to us.

If you consider that your rights have been violated by us, you as a data subject have the right to lodge a complaint with the supervisory authority of the Member State of the European Union in which you have your permanent residence, place of work or in which the alleged violation took place.

5. If you have any questions, please contact us at gdpr@capital.com.